

REMARKS

Claims 1-46 were previously pending in this patent application. Claims 1-46 stand rejected. Claims 36 and 37 have been amended. Accordingly, after the above claim amendments, Claims 1-46 remain pending in this patent application. Further examination and reconsideration in view of the claim amendments and arguments set forth below is respectfully requested.

Attached hereto is a marked-up version of the changes made to the patent application by the current amendment. The attached page is captioned **"Version With Markings To Show Changes Made."**

35 U.S.C. Section 112, Second Paragraph, Rejections

Claims 10 and 24-28 are rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These rejections are respectfully traversed.

The Office Action stated that Claims 10 and 24-28 improperly combined an "apparatus" claim with a "process for making a product" claim. It is respectfully asserted that Claims 10 and 24-28 are apparatus claims. In particular, Claims 10 and 24-28 include limitations directed to software, which is appropriate under the case In re Beauregard, 53 F. 3d 1583 (Fed. Cir. 1995). Moreover, Claims 10 and 24-28 state that a memory device has computer-executable instructions for performing a method, as allowed under In re

Beauregard. Therefore, Claims 10 and 24-28 are definite and are in condition for allowance.

35 U.S.C. Section 102(e) Rejections

Claims 1-4, 10, 11, 21, 36-38, 40, and 41 stand rejected under 35 U.S.C. 102(e) as being anticipated by Martinez et al., U.S. Patent No. 6,137,468 (hereafter Martinez). These rejections are respectfully traversed.

Independent Claim 1 recites:

An electronic system ***capable of being rotated with respect to a line of sight of a user*** and further having a first display mode, a second display mode, and a third display mode, said electronic system comprising:

a processor coupled to a bus;

a memory device coupled to said bus;

a communication port coupled to said bus, ***wherein each display mode depends on a position of said communication port relative to said line of sight of said user, wherein said position facilitates communication with a second electronic system*** via said communication port;

one or more display mode controls for selectively operating said electronic system in one of said first, said second, and said third display modes, wherein a first display orientation corresponds to said first display mode, a second display orientation corresponds to said second display mode, and a third display orientation corresponds to said third display mode; and

an electronic display device coupled to said bus, wherein said electronic display device is configured for displaying visual data in a display orientation corresponding to a selected display mode of said electronic system (emphasis added)

It is respectfully asserted that Martinez does not disclose the present invention as recited in Independent Claim 1. In particular, Martinez is directed to a computer system having a display device, whereas the display on the

display device is altered when the computer system is tilted. [Martinez; Abstract]. More importantly, Martinez does not disclose altering the display in response to rotating the computer system to facilitate interaction with a second electronic system by a user.

Unlike Martinez, Independent Claim 1 is directed to an electronic system capable of being rotated with respect to a line of sight of a user, whereas the electronic system has several display modes corresponding to different display orientations which depend on the position of a communication port relative to the line of sight of the user to facilitate interaction with a second electronic system. While Martinez is directed to altering the display in response to tilting the computer system and does not disclose interaction with a second computer system, Independent Claim 1 is directed to changing the orientation of the display in response to the rotation of the electronic system with respect to a line of sight of a user to facilitate interaction with a second electronic system. Therefore, it is respectfully submitted that Independent Claim 1 is not anticipated by Martinez and is in condition for allowance.

Dependent Claims 2-4 are dependent on allowable Independent Claim 1, which is allowable over Martinez. Hence, it is respectfully submitted that Dependent Claims 2-4 are patentable over Martinez for the reasons discussed above.

With respect to Independent Claims 10, 21, and 36, it is respectfully submitted that Independent Claims 10, 21, and 36 recites similar limitations as

in Independent Claim 1. Therefore, Independent Claims 10, 21, and 36 are allowable over Martinez for reasons discussed in connection with Independent Claim 1.

Dependent Claims 11, 37-38, 40, and 41 are dependent on allowable Independent Claims 10, 21, and 36, which are allowable over Martinez. Hence, it is respectfully submitted that Dependent Claims 11, 37-38, 40, and 41 are patentable over Martinez for the reasons discussed above.

35 U.S.C. Section 103(a) Rejections

Claims 5-9, 12-20, 22, 23-35, 39, and 42-46 stand rejected under 35 U.S.C. 103(a) as being unpatentable Martinez et al., U.S. Patent No. 6,137,468 (hereafter Martinez), and further in view of Kang et al., U.S. Patent No. 5,949,408 (hereafter Kang). These rejections are respectfully traversed.

Dependent Claims 5-9, 12-20, 22, 23-35, 39, and 42-46 are dependent on allowable Independent Claims 1, 10, 21, and 36, which are allowable over Martinez. Moreover, Kang does not disclose an electronic system capable of being rotated with respect to a line of sight of a user, whereas the electronic system has several display modes corresponding to different display orientations which depend on the position of a communication port relative to the line of sight of the user to facilitate interaction with a second electronic system. Hence, it is respectfully submitted that Dependent Claims 5-9, 12-20,

22, 23-35, 39, and 42-46 are patentable over Martinez and Kang for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above amendments and remarks overcome all rejections. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1-46) are now in condition for allowance.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

ORIGINAL SIGNED BY

J.S.G.

Dated: 1/29/03

Jose S. Garcia
Registration No. 43,628

Two North Market Street, Third Floor
San Jose, CA 95113
(408) 938-9060

Version With Markings To Show Changes Made

IN THE CLAIMS

Claims 36 and 37 have been amended as follows:

36. (Once Amended) An electronic system capable of being rotated with respect to a line of sight of a user and further having a first display mode, a second display mode, and a third display mode, said electronic system comprising:

a processor coupled to a bus;

a memory device coupled to said bus;

one or more display mode controls for selectively operating said electronic system in one of said first, said second, and said third display modes, wherein a first display orientation corresponds to said first display mode, a second display orientation corresponds to said second display mode, and a third display orientation corresponds to said third display mode; and

an electronic display device coupled to said bus, wherein said electronic display device is configured for displaying visual data in a display orientation corresponding to a selected display mode of said electronic system to facilitate interaction by said user with a second electronic system.

37. (Once Amended) An electronic system as recited in Claim 36 further comprising a communication port coupled to said bus, wherein each display mode depends on a position of said communication port relative to said

line of sight of said user, wherein said position facilitates communication with [a]
said second electronic system via said communication port.[]]